



**STATE OF HAWAII**  
**OFFICE OF ELECTIONS**  
802 LEHUA AVENUE  
PEARL CITY, HAWAII 96782  
elections.hawaii.gov

SCOTT T. NAGO  
CHIEF ELECTION OFFICER

**TESTIMONY OF THE**  
**CHIEF ELECTION OFFICER, OFFICE OF ELECTIONS**  
**TO THE HOUSE COMMITTEE ON FINANCE**  
**ON HOUSE BILL NO. 2128, HD 1**  
**RELATING TO ELECTIONS**

February 25, 2020

Chair Luke and members of the House Committee on Finance, thank you for the opportunity to testify in support of House Bill No. 2128, HD 1. The purpose of this bill is to make housekeeping amendments to Hawaii's election laws to clarify and improve the administration of elections by mail; establish a process, beginning on January 1, 2021, for preregistering or registering public school- and charter school-enrolled students to vote; establish ranked choice voting for special federal elections and special elections of vacant county council seats; and amend filing deadlines for candidates attempting to fill vacant state senate seats.

While this bill makes a variety of housekeeping changes, we are taking this opportunity to highlight some of the matters addressed by this bill.

**Precincts vs. Districts**

The concept of a precinct is integral to the administration of elections and was previously defined as the "smallest political subdivision established by law." HRS § 11-1 (prior to Act 136, SLH 2019). This involves accounting for the intersecting boundaries associated with different offices or jurisdictions for administrative and reporting purposes.

Each of these precincts would have a unique ballot type of the contests and questions that voters in these areas were eligible to vote upon. These precincts typically were assigned a polling place at which voters could go to vote

on election day. As a result of this, it is understandable how some may equate precinct with polling place.

The term “district” is ambiguous as it could be referring to a general district associated with an office, such as congressional district, state senatorial district, state representative district, county council district, and so on. Additionally, depending on the context, it could be referring to a district of one or more of these previously mentioned districts, resulting in what was previously called a “precinct.”

Continue Mailing Ballot Packages to Voters Who Update Their Voter Registration Address No Later Than 7 Days Before the Date of the Election

Currently, HRS § 11-102(b) provides that “[t]he clerk shall continue mailing ballot packages to voters who update their voter registration address no later than fourteen days before the date of an election.” However, HRS § 11-101 provides that elections by mail are still to be administered in accordance with Title 2. The provisions of Title 2 provide various explicit circumstances in which updates to voter registration records are received less than fourteen days prior to an election and an associated ballot is mailed to the voter.

For example, HRS § 15-4(a) provides that a request for an absentee ballot may be made up to the seventh day prior to the election. The absentee form itself indicates that the clerk can update a voter’s record, including their address, on the basis of the absentee request, pursuant to their authority under HRS §11-20 to update an applicant’s voter registration record. This seventh day requirement is based on federal law related to presidential elections. 52 USC § 10502(d) (Voting Rights Act of 1965).

Taking it further, replacement ballots in an election by mail are provided for in HRS §11-105 and there is no deadline stated as to when the request can be made. The statute provides that upon receipt the clerk is to check the system and issue the replacement ballot package by mail or have available for pick up. Similarly, HRS § 15-5 regarding absentee ballots notes that within five days of an election a voter may request a replacement ballot if they have not received their ballot or they otherwise require one (e.g., they may have spoiled their initial ballot).

Additionally, HRS § 15D-9 relating to military and overseas voters requires a ballot to be mailed within two business days or as soon as allowable after the application arrives.

Against this backdrop, this bill replaces the fourteen-day requirement in HRS § 11-102(b) with seven days and explicitly authorizes the county clerks to

continue to mail ballots, if the clerk believes there is sufficient time for the voter to receive and return their ballot, or as required by any other statute.

### Voter Service Centers

This bill amends HRS § 11-109(b) to authorize election officials to have the ability to establish additional voter service centers, by permitting those additional voter service centers to operate during different days and times. Additionally, it provides that beginning with the 2022 Primary Election, that counties with a population greater than 150,000 will have at least two voter service centers that will operate from the tenth business day preceding an election.

Allowing additional voter service centers to operate on election day or a similar shorter period opens the use of private facilities and state and county buildings that have previously been available to serve as locations for voting. Additionally, opening voter service centers for a limited period provides services such as in-person voting and same day registration that voters would not otherwise have readily available.

### Ranked Choice Voting

Part III of the bill establishes ranked choice voting for certain vacancies and further amends it to include vacant state senate and state representative offices under specific circumstances. We would ask for clarification regarding the conduct of a special election for a state senate or state representative vacancy as there does not seem to be a clear mechanism to conduct such an election proposed by § 11-\_\_\_(a)(2) in conjunction with Chapter 17.

### State Senate Vacancies

In 2010, our election laws were amended to comply with the federal requirement to transmit ballots to military and overseas voters at least forty-five days prior to an election. 52 USC § 20302 & HRS § 15D-9. This included changing the date of our Primary Election from the second to the last Saturday in September to the second Saturday in August, and the filing deadline from sixty days prior to the Primary Election to the first Tuesday in June. HRS §§ 12-2 & 12-6. As a result, this bill proposes amending HRS § 17-3 to address these changes as a candidate may find themselves in a situation where they could not withdraw and file to fill a vacancy in the office of State Senator occurring shortly prior to the regular close of candidate filing.

Specifically, the existing language of HRS § 17-3(b)(2) refers to a vacancy occurring not later than on the tenth day prior to the close of candidate filing up to

the sixtieth day prior to the Primary Election. Additionally, the ability to withdraw for any reason is limited to the following: "the day immediately following the close of filing for any reason and may withdraw after the close of filing up to 4:30 p.m. on the fiftieth day prior to an election for reasons of ill health." HRS § 11-117(a). The result of this is that a vacancy occurring on the sixty-fifth day through to the sixtieth day prior to the Primary Election would be just outside of the time frame to permit a current candidate for a different office to withdraw and file for the new office caused by the vacancy.

In order to address this situation as well as ensure compliance with the federal requirements, we would propose that this bill amend HRS § 17-3(b)(2), as follows, rather than the present language of House Bill No. 1753 that makes significant changes to the law regarding the filling of vacancies.

(2) If it occurs later than on the tenth day prior to the close of filing for the next succeeding primary election but not later than ~~[on the sixtieth day]~~ the close of filing prior to the next succeeding primary election, or if there are no qualified candidates for any party or nonpartisan candidates qualified for the primary election ballot, nominations for the unexpired term may be filed not later than 4:30 p.m. on the ~~[fiftieth day prior to the next succeeding primary election.]~~ tenth day following the proclamation by ~~[-The]~~ the chief election officer ~~[shall issue a proclamation]~~ designating the election for filling the vacancy. Pending the election the governor shall make a temporary appointment to fill the vacancy and the person appointed shall serve until the election of the person duly elected to fill the vacancy. The governor shall make the appointment from a list of three prospective appointees submitted by the same political party as the prior incumbent. The appointee shall be, at the time of the appointment, and shall have been, for at least six months immediately prior to the appointment, a member of the political party. The appointee shall, at the time of appointment, be a resident of the same senate district as the prior incumbent. If the prior incumbent was not a member of any political party, the governor shall appoint a person who is at the time of appointment a resident of the same senate district as the prior incumbent and is not and has not been, for at least six months immediately prior to the appointment, a member of any political party;

Thank you for the opportunity to testify in support of House Bill No. 2128,  
HD 1.



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## COMMITTEE ON FINANCE

Tuesday, February 25, 2020, 11:00 a.m., Conference Room 308  
HB 2128 HD1 RELATING TO ELECTIONS

### TESTIMONY

Janet Mason, Legislative Committee, League of Women Voters of Hawaii

Chair Luke, Vice-Chair Cullen, and Committee Members:

**The League of Women Voters of Hawaii offers qualified support to HB 2128, HD1, which makes various clarifications and improvements to the administration of Voting By Mail, provides for Automatic Pre-Registration through schools, provides for the use of Ranked Choice Voting in Special Federal, Special State House and State Senate, and Special County Council elections, and amends deadlines for filing for elections for vacant state senate seats.**

The League agrees with creating a minimum of two voter service centers for counties with populations of 150 thousand or more, starting with the 2022 Primary elections. We are also pleased to see the County Clerks being given discretion on opening additional voter service center centers and places of deposit with dates and times that are appropriate for their locations. Voter service centers are a critical tool to help voters with any logistics problems, as well as to permit latecomers to register to vote. Having an expert to help in-person during days and times that are accessible to voters will help prevent unintentionally disenfranchising anyone. Any provision to enhance voter service center administration is welcome.

Regarding elections security, League continues to educate ourselves about this critical policy question; we recognize a broad range of precautions are necessary to maintain the integrity of the vote. Certainly, making sure there is an affidavit on the voter's return mail envelope as specified in Section 3 and requiring the affirmation statement described in Section 4 acknowledging penalties for registration fraud are important preventive steps. Each voter should be prepared to attest to the fact that they are who they say they are, and live where they say they live.

We do not support internet voting. However, our County Clerks are already experienced with accepting secure electronic transmission of paper ballots by email or fax for overseas and military voters, as required by the federal Military and Overseas Voters Empowerment Act (MOVE), passed in 2009<sup>1</sup>. Nineteen states plus DC already allow certain other voters to return ballots via email or fax<sup>2</sup>. We believe that Hawaii's current law permitting electronic transmission of ballots for voters who have not received ballots within five days of an Election and permitting such transmission of ballots at any time for persons with special needs is a limited but reasonable approach to guaranteeing access to voting. Last-minute return of ballots for voters who have requested a replacement ballot is certain to occur. Likewise, the League continues to support making voting reasonably accessible to individuals with special needs. We support such transmission if it occurs over secure lines, and our expectation is that voting officials are already using best practices for elections security. Certainly, we support the study required in Section 37 of this measure.

Regarding automatic pre-registration, this bill facilitates the pre-registration practice already in existence<sup>3</sup> and sets the stage for our future voters to get involved early and often. Making voting accessible and easy early in life sets a pattern for habitual voting - a badly needed solution to the state's chronic turnout problem. At least 10 states have



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school-facilitated pre-registration already<sup>4</sup>. HB 2128 HD1 would center the collection of voter registration information on the Department of Education (for public schools) or an Authorizer (for charter schools) for transmission to the respective County Clerk. Concerns will arise when there is an appearance of officials requiring minor students to provide the kind of information required for voter registration. We conclude that HB 2128 HD1 addresses these concerns in two ways: first, by designating who can collect and transmit the information, and second, by requiring voter registration forms to be made available, but not required to be collected. These two points ensure that providing the information is voluntary, and that no entities except the school and County Clerk receive this information. Getting students pre-registered through the state's schools is a cost-effective way to set the stage for a long-term solution to Hawaii's poor voter turnout.

Section 42 of HB 2128 HD1 provides for the use of Ranked-Choice Voting in Special Federal elections, Special State Representative and State Senate Elections, and Special Elections to fill a County Council vacancy. The League has declined to take a position on Ranked Choice Voting, though we recognize it has the potential for increased turnout, election campaigns that are less polarized, and a representative result - one where the winner receives the majority of votes. However, our experience with voter education, including our recent efforts with Vote by Mail, informs us that adoption of any significant change to how a voter casts their ballot must be accompanied by a comprehensive, well-funded program of voter education. Adoption of Ranked Choice Voting at the state level without such educational efforts risks voter confusion which would far outweigh the previously mentioned benefits. **For this reason, we respectfully request an amendment to this bill requiring that "The Office of Elections shall conduct voter education on RCV prior to any election where RCV will be used."**

The League has no position on Part IV of this bill, which would amend filing deadlines for candidates attempting to fill vacant state senate seats.

We support the effective dates for Automatic Pre-Registration (January 1, 2021) and the additional voter service centers (primary election 2022). Since we take no position on Ranked Choice Voting, we have no position on a desirable effective date, although we emphasize again that adequate time and resources must be provided to educate voters in advance of its introduction.

Thank you for the opportunity to submit testimony.

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1. 52 U. S. C. § 20301 et seq. UOCAVA requires states to provide blank absentee ballots to UOCAVA voters in at least one electronic format -- email, fax, or an online delivery system -- at least 45 days before an election. <https://www.fvap.gov/uploads/FVAP/Policies/uocavalaw.pdf> Page 5.

2. Delaware, District of Columbia, Hawaii, Idaho, Indiana, Iowa, Kansas, Maine, Massachusetts, Mississippi, Montana, Nebraska, Nevada, New Jersey, New Mexico, North Carolina, Oregon, South Carolina, Utah, and Washington. National Conference on State Legislatures. <https://www.ncsl.org/research/elections-and-campaigns/internet-voting.aspx>

3. HRS § 11-12 (b).

4. Keyes, Scott. "Strengthening Our Democracy by Expanding Voting Rights". Center for American Progress. <https://www.americanprogress.org/issues/courts/reports/2012/12/18/48396/strengthening-our-democracy-by-expanding-voting-rights/>, accessed 20 January 2020.



Tuesday, February 25, 2020

House Bill 2128 House Draft 1  
Testifying in Support, with Amendments

Aloha Chair Luke, Vice Chair Cullen, and Members of the Committee on Finance,

The Democratic Part of Hawai'i (The Party) **stands in support of HB2128 HD1** Relating to Elections. This bill rightly makes amendments to Hawaii's election laws to clarify and improve the administration of elections by mail and establishes a process, beginning on January 1, 2021, for preregistering public school- and charter school-enrolled students to vote. Additionally, the bill establishes ranked choice voting for special federal elections and special elections of vacant county council seats, as well as amends deadlines for candidates attempting to fill vacant state senate seats.

This is a good bill for numerous reasons and The Party is thankful to the Committee for hearing the bill, as are we to the Judiciary Committee for its support of the measure, including the amendments made to it.

In particular, we are encouraged by the re-insertion of the definition of precincts and accompanying amendments. The on-going establishment of Precincts is vital to the Party's ability to organize itself in useful ways that mirrors election structures. What's more, given that precincts are the smallest organizing structure for BOTH the Office of Elections AND the Democratic Party of Hawaii, retaining the definition and existence of Precincts in the law is also, we believe, useful for elected officials and candidates to elective office and a subset of larger districts for the purposes of campaign activities.

We are also heartened to see language which provides for "preregistering" of public and charter school students to vote. Encouraging young people to engage our government process and public discourse is very beneficial and we appreciate the legislature's support of this.

Finally, while The Party supports the use of ranked choice voting in certain special and other elections, we are concerned that the language in this bill may eliminate the ability of its members at the House and Senate District levels from selecting a list of potential appointees by the Governor when a vacancy occurs. We would encourage the legislature to review the House Draft 1 and eliminate such text from the bill.

For these reasons we urge to vote favorably on this bill, with potential amendments.

Mahalo for the opportunity to testify,

Josh Frost  
Co-Chair, Legislation Committee  
Democratic Party of Hawai'i

Zahava Zaidoff  
Co-Chair, Legislation Committee  
Democratic Party of Hawai'i

<https://www.civilbeat.org/2018/09/hawaiis-mental-health-care-crisis/>



Statement Before The  
**HOUSE COMMITTEE ON FINANCE**  
Tuesday, February 25, 2020  
11:00 AM  
State Capitol, Conference Room 308

in consideration of  
**HB 2128, HD1**  
**RELATING TO ELECTIONS.**

Chair LUKE, Vice Chair CULLEN, and Members of the House Finance Committee

Common Cause Hawaii supports HB 2128, HD1, which (1) makes housekeeping amendments to Hawaii's elections laws to clarify and improve the administration of elections by mail, (2) establishes a process, beginning on January 1, 2021, for preregistering or registering public school- and charter school-enrolled students to vote, (3) establishes ranked choice voting for special federal elections and special elections of vacant county council seats, and (4) amends filing deadlines for candidates attempting to fill vacant state senate seats.

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to reforming government and strengthening democracy through voting modernization efforts.

Common Cause Hawaii supports Part 1 of HB 2128, HD1, which makes various housekeeping amendments to Hawaii's vote-by-mail law, Act 136, Session Laws of Hawaii 2019. Section 19 of Part I provides that beginning with the 2022 primary election "at least two voter service centers shall be open in each county with a population greater than one hundred fifty thousand from the tenth business day preceding the day of the election during regular business hours until the time provided in [Hawaii Revised Statutes] section 11-131 on the date of the election and at the same times statewide. The clerks may operate additional voter service centers with varying days or hours of operations to service the voters of particular areas that could not otherwise support the operation of a voter service center for ten business days or the same times statewide." Page 23; lines 15-21; page 24; lines 1-4. This is a beneficial amendment but still does not address the concerns of voters in Hawaii County with a population of approximately 185,000, or Maui County, which span multiple islands and have a population under 160,000. They each will only have to open 2 VSCs under this amendment, barring other legal mandates. Further the amendments proposed in HB 2128, HD1 does not address the present concerns by Hawaii's voters that there are not sufficient numbers of VSCs for the 2020 elections.

Common Cause Hawaii suggests that HB 2128, HD1 be amended to provide that each county clerk afford a minimum number of VSCs and places of deposit in a county based upon a good faith determination of the following factors, in addition to other pertinent considerations not referenced below:

**Transportation**

- Proximity to public transit
- Access to free parking
- Traffic patterns
- Proximity to communities with low rates of vehicle ownership
- Time and distance a voter must travel to reach a location

**Geography**

- Proximity to population centers
- Proximity to geographically isolated populations

**Underrepresented Voters**

- Proximity to language minority communities
- Proximity to low-income communities
- Proximity to voters with disabilities
- The need for alternate voting methods for voters with disabilities
- Proximity to communities with historically low vote by mail usage
- Proximity to communities of eligible voters that are not registered

See California Civic Engagement Project, Best Practices: Siting Vote Centers and Drop Boxes, <https://static1.squarespace.com/static/57b8c7ce15d5dbf599fb46ab/t/5d409b2d9ee54a0001483b84/1564515161760/CCEP+VCA+Brief+3+Companion+2-Pager+Siting.pdf>.

Additionally, county clerks should not have the unilateral ability to decide to open (or not open) places of deposit. Page 25, lines 2-4.

Common Cause Hawaii reiterates its concerns with permitting electronic transmission of ballots, other than as required by federal law, according to Section 17 of HB 2128, HD1 (referring to Section 11—107, Hawaii Revised Statutes).

Common Cause Hawaii supports Part II of HB 2128, HD1 permitting the pre-registration or registration of public school- and charter school-enrolled students to vote. HB 2128, HD1 will begin to alert students prior to when they are allowed to vote – the age of 18 – to the importance of voting. Studies have shown that voting is a habit, which develop over repetition and can become strongly reinforced if developed early. See [https://www.rockthevote.org/wp-content/uploads/publications/research/rtv\\_voting\\_is\\_a\\_habit-2007.pdf](https://www.rockthevote.org/wp-content/uploads/publications/research/rtv_voting_is_a_habit-2007.pdf).

Common Cause Hawaii also supports Part III of HB 2128, HD1 permitting ranked choice voting (RCV). RCV is a simple electoral reform that ensures fair and efficient elections. With RCV, voters rank candidates from favorite to least favorite. In RCV elections, candidates often need 2nd and 3rd choice votes to win a majority of the vote. Cities that have RCV elections have seen a steady increase in voter turnout. When voters feel their vote will matter, they turn out in greater numbers. RCV will require voter education to implement successfully. Common Cause Hawaii requests that Part III of HB 2128, HD1 be amended to include a robust RCV education component by the State Office of Elections and County Clerks' Offices to work in conjunction with the public nonpartisan stakeholders.

Thank you for the opportunity to testify in support of HB 2128, HD1 with comments. If you have further questions of me, please contact me at [sma@commoncause.org](mailto:sma@commoncause.org).

Very respectfully yours,

Sandy Ma  
Executive Director, Common Cause Hawaii





Josh Frost - President • Patrick Shea - Treasurer • Kristin Hamada  
Nelson Ho • Summer Starr

Tuesday, February 25, 2020

Relating to Elections  
Testifying in Support with amendments

Aloha Chair and members of the committee,

The Pono Hawai'i Initiative (PHI) **supports with amendments HB2128, HD1 Relating to Elections**, which helps to improve the administration of elections by mail. Establishing a process to preregister and register public and charter school enrolled students to vote. Establishes ranked choice voting for special federal elections and county council seats.

This measure will help increase access to voting and will give people more choice when it comes to selecting a candidate. PHI supports the amendments requested by Common Cause Hawaii.

For all these reasons, we urge you to vote in favor of this measure.

Mahalo for the opportunity,  
Gary Hooser  
Executive Director  
Pono Hawai'i Initiative

**HB-2128-HD-1**

Submitted on: 2/22/2020 5:13:10 PM

Testimony for FIN on 2/25/2020 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara Best	Individual	Support	No

Comments:

I support Common Cause Hawaii & therefore their testimony on this issue.

Mahalo

**HB-2128-HD-1**

Submitted on: 2/23/2020 11:02:27 AM

Testimony for FIN on 2/25/2020 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Caroline Kunitake	Individual	Support	No

Comments:

Dear Chair Luke and Members of the Committee on Finance,

I am writing in support of HB 2128 HD1.

- Common Cause Hawaii supports Part 1 of HB 2128, HD1, which makes various housekeeping amendments to Hawaii's vote-by-mail law, Act 136, Session Laws of Hawaii 2019. Section 19 of Part provides that beginning with the 2022 primary election "at least two voter service centers shall be open in each county with a population greater than one hundred fifty thousand from the tenth business day preceding the day of the election during regular business hours until the time provided in [Hawaii Revised Statutes] section 11-131 on the date of the election and at the same times statewide. The clerks may operate additional voter service centers with varying days or hours of operations to service the voters of particular areas that could not otherwise support the operation of a voter service center for ten business days or the same times statewide." Page 23; lines 15-21; page 24; lines 1-4. This is a beneficial amendment but still does not address the concerns of voters in Hawaii County with a population of approximately 185,000, or Maui County, which span multiple islands and have a population under 160,000. They each will only have to open 2 VSCs under this amendment, barring other legal mandates. Further the amendments proposed in HB 2128, HD1 does not address the present concerns by Hawaii's voters that there are not sufficient numbers of VSCs for the 2020 elections.
- Common Cause Hawaii suggests that HB 2128, HD1 be amended to provide that each county clerk afford a minimum number of VSCs and places of deposit in a county based upon a good faith determination of the following factors, in addition to other pertinent considerations not referenced below:

**Transportation**

- Proximity to public transit
- Access to free parking
- Traffic patterns
- Proximity to communities with low rates of vehicle ownership
- Time and distance a voter must travel to reach a location

## **Geography**

- Proximity to population centers
- Proximity to geographically isolated populations

## **Underrepresented Voters**

- Proximity to language minority communities
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- The need for alternate voting methods for voters with disabilities
- Proximity to communities with historically low vote by mail usage
- Proximity to communities of eligible voters that are not registered

- See California Civic Engagement Project, Best Practices: Siting Vote Centers and Drop Boxes, <https://static1.squarespace.com/static/57b8c7ce15d5dbf599fb46ab/t/5d409b2d9ee54a0001483b84/1564515161760/CCEP+VCA+Brief+3+Companion+2-+Pager+Siting.pdf>.
- Additionally, county clerks should not have the unilateral ability to decide to open (or not open) places of deposit. Page 25, lines 2-4.
- Common Cause Hawaii reiterates its concerns with permitting electronic transmission of ballots, other than as required by federal law, as permitted according to Section 17 of HB 2128, HD1 (referring to Section 11—107, Hawaii Revised Statutes).
- Common Cause Hawaii supports Part II of HB 2128, HD1 permitting the pre-registration or registration of public school- and charter school-enrolled students to vote. HB 2128, HD1 will begin to alert students prior to when they are allowed to vote – the age of 18 – to the importance of voting. Studies have shown that

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- Common Cause Hawaii also supports Part III of HB 2128, HD1 permitting ranked choice voting (RVC). RCV is a simple electoral reform that ensures fair and efficient elections. With RCV, voters rank candidates from favorite to least favorite. In RCV elections, candidates often need 2nd and 3rd choice votes to win a majority of the vote. Cities that have RCV elections have seen a steady increase in voter turnout. When voters feel their vote will matter, they turn out in greater numbers. RCV will require voter education to implement successfully. Common Cause Hawaii requests that Part III of HB 2128, HD1 be amended to include a robust RCV education component by the State Office of Elections and County Clerks' Offices to work in conjunction with the public nonpartisan stakeholders.

Please support this bill.

Mahalo,

Caroline Kunitake

**HB-2128-HD-1**

Submitted on: 2/23/2020 7:19:33 PM

Testimony for FIN on 2/25/2020 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
tlaloc tokuda	Individual	Support	No

## Comments:

1. [B2128](#), amending Vote By Mail law to ensure 2 voter service centers on Maui, Oahu & Big Island for 2022, preregistering or registering public school- and charter school-enrolled students to vote, and establishes ranked choice voting for special federal elections and special elections of vacant county council seats. I am a volunteer for Common Cause HI and I agree that we should **SUPPORT** with comments 2128 HD1!
- Common Cause Hawaii supports Part 1 of HB 2128, HD1, which makes various housekeeping amendments to Hawaii's vote-by-mail law, Act 136, Session Laws of Hawaii 2019. Section 19 of Part provides that beginning with the 2022 primary election "at least two voter service centers shall be open in each county with a population greater than one hundred fifty thousand from the tenth business day preceding the day of the election during regular business hours until the time provided in [Hawaii Revised Statutes] section 11-131 on the date of the election and at the same times statewide. The clerks may operate additional voter service centers with varying days or hours of operations to service the voters of particular areas that could not otherwise support the operation of a voter service center for ten business days or the same times statewide." Page 23; lines 15-21; page 24; lines 1-4. This is a beneficial amendment but still does not address the concerns of voters in Hawaii County with a population of approximately 185,000, or Maui County, which span multiple islands and have a population under 160,000. They each will only have to open 2 VSCs under this amendment, barring other legal mandates. Further the amendments proposed in HB 2128, HD1 does not address the present concerns by Hawaii's voters that there are not sufficient numbers of VSCs for the 2020 elections.
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- Common Cause Hawaii reiterates its concerns with permitting electronic transmission of ballots, other than as required by federal law, as permitted according to Section 17 of HB 2128, HD1 (referring to Section 11—107, Hawaii Revised Statutes).
- Common Cause Hawaii supports Part II of HB 2128, HD1 permitting the pre-registration or registration of public school- and charter school-enrolled students

to vote. HB 2128, HD1 will begin to alert students prior to when they are allowed to vote – the age of 18 – to the importance of voting. Studies have shown that voting is a habit, which develop over repetition and can become strongly reinforced if developed early. See [https://www.rockthevote.org/wp-content/uploads/publications/research/rtv\\_voting\\_is\\_a\\_habit-2007.pdf](https://www.rockthevote.org/wp-content/uploads/publications/research/rtv_voting_is_a_habit-2007.pdf).

- Common Cause Hawaii also supports Part III of HB 2128, HD1 permitting ranked choice voting (RCV). RCV is a simple electoral reform that ensures fair and efficient elections. With RCV, voters rank candidates from favorite to least favorite. In RCV elections, candidates often need 2nd and 3rd choice votes to win a majority of the vote. Cities that have RCV elections have seen a steady increase in voter turnout. When voters feel their vote will matter, they turn out in greater numbers. RCV will require voter education to implement successfully. Common Cause Hawaii requests that Part III of HB 2128, HD1 be amended to include a robust RCV education component by the State Office of Elections and County Clerks' Offices to work in conjunction with the public nonpartisan stakeholders.

Thank you,

Tlaloc Tokuda

Kailuaa Kona, HI 96740

**HB-2128-HD-1**

Submitted on: 2/24/2020 8:11:29 AM

Testimony for FIN on 2/25/2020 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Golojuch Jr	Individual	Support	No

Comments:

**HB-2128-HD-1**

Submitted on: 2/24/2020 11:49:22 AM

Testimony for FIN on 2/25/2020 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Edward B Hanel Jr	Individual	Support	No

## Comments:

Concur with CommonCause Hawaii comments regarding HB2128.

Of special concern is the unliteral authority of county clerks to open (or not open) places of deposit. Page 25, lines 2-4. One county clerk contacted about seeking additional funding to increase places of deposit advised that the additional funds would only result in additional work. No request would be submitted for additional funds. HB2128 needs to correct this approach concerning county clerk duties.